

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

- - - - -x

In the Matter of:	Case No.
CHRISTINE PERSAUD, Debtor.	10-44815-ess

- - - - -x

KLEIN, Plaintiff,	Adv. Case No.
v.	10-01228-ess

CHRISTINE PERSAUD, et al, Defendants

- - - - -x

KLEIN, Plaintiff,	Adv. Case No.
v.	11-01456-ess

JOHN PEREIRA, Defendant

- - - - -x

United States Bankruptcy Court
271 Cadman Plaza East
Brooklyn, New York

November 28, 2011
9:57 AM

B E F O R E:
HON. ELIZABETH S. STONG
U.S. BANKRUPTCY JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[187, 228] Adjourned Hearing (re: Related Document(s)[182]
Application to Employ Troutman Sanders. Adjourned from:
9/27/11; 10/28/11; 11/8/11; 11/14/11

[179] Adjourned Motion for Violation of Automatic Stay and to
Void Certain Decisions of the State Supreme Court Issued in
Violation. Adjourned from: 9/27/11; 10/28/11; 11/8/11;
11/14/11

[295] Adjourned Hearing on the Reconsideration of the Order to
Show Cause Application (re: Related Document(s) 272 Order to
Schedule Hearing (Generic), [196] Motion for 2004 Examination
of Philip Gottehrer. Adjourned from: 11/14/11

[214] Adjourned Hearing on Application for Order to Show Cause
(re: Related Document(s) [196] Motion for 2004 Examination of
Philip Gottehrer. Adjourned from: 9/8/11; 9/13/11; /9/20/11;
9/22/11; 10/28/11; 11/8/11; 11/14/11

[292] Adjourned Hearing on the Reconsideration of the Order to
Show Case Application (re: Related Document(s) [197] Motion for
2004 Examination of Joel Klein. Adjourned from: 11/14/11

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

[203] Adjourned Hearing on Application for Order to Show Cause
(re: Related Document(s) [197] Motion for 2004 Examination of
Joel Klein. Adjourned from: 9/8/11; 9/13/11; 9/20/11/;
10/28/11; 11/8/11; 11/14/11

[296] Adjourned Hearing on the Reconsideration of the Order to
Show Cause (re: Related Document(s) [198] Motion for 2004
Examination of Caring Home Care Agency. Adjourned from:
11/14/11

[201] Adjourned Hearing on Application for Order to Show Cause
(re: Related Document(s) [198] Motion for 2004 Examination of
Caring Home Agency. Adjourned from: 9/8/11; 9/13/11; 9/20/11;
9/22/11; 10/28/11; 11/8/11; 11/14/11

[294] Adjourned Hearing on the Order to Show Cause Application
and Hearing on the Reconsideration of the Order to Show Cause
(re: Related Document(s) [199] Motion for 2004 Examination of
Abraham Klein. Adjourned from: 11/14/11

[202] Adjourned Hearing on Application for Order to Show Cause
(re: Related Document(s) [199] Motion for 2004 Examination of
Abraham Klein. Adjourned from: 9/8/11; 9/13/11; 9/20/11;
9/22/11; 10/28/11; 11/8/11; 11/14/11

[293] Adjourned Hearing on the Reconsideration of the Order to Show Cause (re: Related Document(s) [195] Motion for 2004 Examination of Melquisedec Escobar. Adjourned from: 11/14/11

[204] Adjourned Hearing on Application for Order to Show Cause (re: Related Document(s) [195] Motion for 2004 Examination of Melquisedec Escobar. Adjourned from: 9/8/11; 9/13/11; 9/20/11; 9/22/11; 10/28/11; 11/8/11; 11/14/11

[1] Adjourned Pre-trial Conference re: Complain. Adjourned from 10/19/10; 11/4/10; 12/14/10; 1/5/11; 2/2/11; 3/10/11; 4/7/11; 5/20/11; 6/17/11; 8/16/11; 9/27/11; 10/28/11; 11/8/11; 11/14/11

[1] Adjourned Pre-trial Conference re: Complain. Adjourned from 10/28/11; 11/8/11; 11/14/11

Transcribed by: Devora Kessin

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S :

LAW OFFICE OF SAMUEL J. LANDAU

Attorney for Debtor
250 West 57th Street
New York, NY 10107

BY: SAMUEL J. LANDAU, ESQ.

TROUTMAN SANDERS, LLP

Attorneys for John Pereira
405 Lexington Avenue
New York, NY 10174

BY: LEE W. STREMB, ESQ., (TELEPHONICALLY)

JOHN P. CAMPO, ESQ., (TELEPHONICALLY)

LAW OFFICE OF STEPHEN N. PREZIOSI

Of Counsel to Samuel Landau on behalf of the debtor
570 Seventh Avenue
New York, NY 10018

BY: STEPHEN N. PREZIOSI, ESQ.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

KRINSKY PLLC

Of Counsel to Mendel Zilberberg & Associates
on behalf of Creditor, for Abraham Klein
233 Broadway
New York, NY 10279

BY: PERY D. KRINSKY, ESQ., (TELEPHONICALLY)

LAW OFFICE OF JOEL LEWITTES

Of Counsel to Mendel Zilberberg & Associates
on behalf of Creditor, for Abraham Klein
1211 Avenue of the Americas
New York, NY 10036

BY: JOEL LEWITTES, ESQ., (TELEPHONICALLY)

PEREIRA & SINISI, LLP

Chapter 7 Trustee
405 Lexington Avenue
7th Floor
New York, NY 10174

BY: ANN MARIE SINISI, ESQ., (TELEPHONICALLY)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

P R O C E E D I N G S

THE CLERK: All rise.

THE COURT: Good morning.

MR. LANDAU: Good morning.

THE COURT: Please be seated.

I have parties here in the courtroom and parties on the telephone? Let's all be sure -- myself included -- to use our microphones.

Ms. Jackson, please call the case?

THE CLERK: Numbers 1 through 14, all matters regarding Christine Persaud.

Parties in the courtroom and on the telephone please state your appearances.

MR. STREMB: Lee Stremba, Troutman Sanders, for the trustee.

THE COURT: Thank you, Mr. Stremba.

MR. STREMB: Yes.

MR. CAMPO: And John Campo here as well.

THE COURT: All right. Do we have Mr. Krinsky and Mr. Lewittes?

MR. LEWITTES: Joel Lewittes, of counsel to Mr. Zilberberg; representing Creditor Klein.

THE COURT: Yes.

MR. KRINSKY: Pery Krinsky, on behalf of Mr. Zilberberg's firm; and Sarah Moskowitz, although will not be

1 speaking, she's also present on the telephone on behalf of Mr.
2 Zilberberg's firm --

3 THE COURT: But to be clear, you're not representing
4 the firm, you're representing the creditor, Mr. Klein. Isn't
5 that right?

6 MR. KRINSKY: Myself, Your Honor?

7 THE COURT: Yes; who is your client?

8 MR. KRINSKY: I serve of counsel to Mr. Zilberberg's
9 firm who represent Creditor Klein.

10 THE COURT: So you are counsel to Mr. Klein, in that
11 capacity; for the avoidance of doubt and having a clear record.
12 It was not my understanding that Mr. Zilberberg's firm had
13 represented counsel to represent the firm -- had retained
14 counsel to represent the firm.

15 MR. KRINSKY: That's right, Your Honor.

16 THE COURT: All right, thank you.

17 MR. LANDAU: And Samuel Landau --

18 MS. SINISI: And Ann Marie Sinisi from Pereira &
19 Sinisi, for the trustee.

20 THE COURT: All right, thank you Ms. Sinisi.

21 And here in the court, Mr. Landau, I'm sorry.

22 MR. LANDAU: Samuel Landau, representing the debtor,
23 Christine Persaud.

24 THE COURT: All right. Thank you, Mr. Landau.

25 I understand there's also one additional attorney who

1 has appeared from time to time on behalf -- or representing --
2 the debtor, Ms. Persaud, and that she's represented by you, Mr.
3 Landau, then that attorney will not be participating in today's
4 hearing.

5 MR. LANDAU: Yes.

6 THE COURT: Okay.

7 All right, well I appreciate everybody's appearance
8 this morning and I trust that you all had a good holiday
9 weekend. We had a significant amount of correspondence and
10 matters to attend to over the course of last week and as you
11 have seen by now I trust, there was filed on November 23rd the
12 Court's order overruling the objection to the testimony of
13 Professor Green and finding that on consent, the testimony
14 Professor Bruce Green will be received via affidavit and cross-
15 examination will be waived, subject to further order of the
16 Court; further stating that the Court will hold a telephonic
17 conference on the issues raised in the letters filed on
18 November 23rd, 2011 and all other matters on Monday, November
19 28th at 9 a.m. We are getting this late start because I gather
20 there was some complication with respect to some of the counsel
21 calling in but I'm glad that we have everyone represented now
22 and that we can proceed.

23 So, there is I think first and foremost before all of
24 us, the question of completing the record on the trustee's
25 application to employ the Troutman Sanders firm; which has

1 already been granted in part on consent, and I take it that it
2 is the suggestion of the parties that we may now move to close
3 that record. But let me hear from -- I think this would be a
4 question for Mr. Krinsky first -- as you are putting in your
5 case in opposition including the testimony whether by affidavit
6 or live of Professor Green -- as you see I have overruled the
7 objection on grounds among many others, that in this bench
8 trial, the standards for the admission of such testimony as an
9 initial matter have been met, and I take it as has been stated
10 on the record many times, that the qualification of Professor
11 Green to testify as an expert is not contested as you indicate
12 in the various submissions; that the argument is that it would
13 be superfluous, wasteful, inconsistent with some of the
14 evidence rules, but if admitted, that on consent as direct
15 testimony, it may be received and cross-examination foregone so
16 that the evidentiary hearing with respect to the objection can
17 be brought to an immediate conclusion.

18 So Mr. Stremba what I need to know is, if on behalf of
19 the objector, you'd best; and then I think it's a question of
20 coming back to the proponent to determine whether any rebuttal
21 case is to be offered.

22 MR. STREMB: Yes, Your Honor; Lee Stremba.

23 We rest.

24 THE COURT: All right.

25 Ms. Sinisi, I think that brings me back to the

1 trustee?

2 MR. STREMBA: I'm sorry, Your Honor; it's Lee Stremba
3 was for the trustee.

4 THE COURT: I'm sorry; thank you, Mr. Stremba. It's
5 easier when people are in court.

6 MR. STREMBA: It is.

7 THE COURT: But we'll still manage, I'm sure. So you
8 rest on behalf of the trustee.

9 Mr. Krinsky, I should -- the question I put to Mr.
10 Stremba, I meant to put to you. I take it that with the
11 submission of an affidavit -- and I'll ask you to point me to
12 where that is in the record -- as indicated that the waiver of
13 cross-examinations subject to any further order of the Court,
14 you also rest?

15 MR. KRINSKY: We do with I believe there's one open
16 issue, Your Honor; and that is the issue of the 2008 e-mail
17 communication or communications, which we previously requested
18 by order to show cause, filed by Mr. Zilberberg with respect to
19 the communications on conflicts checking when Mr. Klein and/or
20 GRV initially retained the firm back in 2008. And that's the
21 only outstanding issue, but other than that, yes, we would
22 rest.

23 THE COURT: Well, for the purposes of bringing this
24 matter to closure so that I can get you a decision, I think we
25 need to know definitively whether that is an issue being

1 pursued and then it needs to be pursued and resolved; or
2 alternatively, whether you do in fact rest; but it seems to me
3 we need clarity on whether it's one or the other.

4 MR. KRINSKY: Your Honor, it is an open matter and it
5 is an issue that we are pursuing. It is the basis in part for
6 submitting my affidavit to Your Honor earlier this last week,
7 dated November 8th.

8 THE COURT: All right; can you tell me where on the
9 calendar that is; which motion that is?

10 MR. KRINSKY: One moment, Your Honor.

11 I apologize Your Honor, I don't know which -- what the
12 docket number was that it's in reference to. The initial order
13 to show cause seeking the '08 and 2011 e-mails --

14 THE COURT: If you're using a speaker phone, I'm going
15 to ask you to use a handset because it is a bit difficult to
16 understand what you are saying.

17 MR. KRINSKY: Your Honor?

18 THE COURT: Much better, thank you.

19 MR. KRINSKY: I apologize.

20 Your Honor, unfortunately I don't know the docket
21 number of the original order to show cause that was filed.

22 THE COURT: All right, well let's work through the
23 Court's calendar and see if we can make some progress on
24 simplifying the matters before the Court. I'm concerned when I
25 see as many as fourteen matters being carried.

1 With respect to the application to employ Troutman
2 Sanders, it's not clear to me yet whether we are going to be
3 able to bring that record to closure today. I will be pleased
4 if we can, but I'm not going to take a contested -- I'm not
5 going to hear an argument over the phone. I took from the
6 letters that we were done, when I saw the suggestion that we
7 would be able to bring to an immediate conclusion the
8 evidentiary hearing; it seemed to me telephonic was the way to
9 go, especially in view of the issues that arose in connection
10 with scheduling. But we'll see.

11 Next is the adjourned motion for violation of the
12 automatic stay; number 179 on the docket. Who is the proponent
13 of that motion?

14 No response? In the absence of a proponent, I'm going
15 to mark it off the calendar.

16 MR. STREMB: Your Honor -- it's Lee Stremba -- could
17 we go back for a moment to the issue that Mr. Krinsky raised,
18 maybe I can get past that one for you?

19 THE COURT: Please proceed.

20 MR. STREMB: The issue as I understand it is the
21 production of communications in 2008 with respect to whatever
22 conflicts check was done when the Klein brothers first
23 contacted Troutman Sanders. And I think that goes to the issue
24 of whether Troutman Sanders in fact came to represent Mr. Klein
25 personally, rather than his company GRV or perhaps both.

1 Although I believe that Troutman Sanders came to represent GRV,
2 I am prepared to assume for purposes of closing this hearing,
3 that Troutman Sanders represented either Mr. Klein or GRV or
4 both. I think the real questions here are not who we
5 represented, but whether there is a substantial relationship
6 between the engagement -- the two month engagement -- in 2008
7 and the current proposed engagement with the trustee; and two,
8 whether there was any confidential information disclosed by Mr.
9 Klein which the trustee could now use in a matter materially
10 adverse to Mr. Klein. I think there's nothing in the record on
11 either of those points and therefore it would be -- I see no
12 reason to belabor the issue of who Troutman Sanders
13 represented. And as I said, I'm therefore willing to stipulate
14 just for purposes of the hearing that Troutman Sanders in 2008
15 represented any or all of Mr. Klein and GRV.

16 THE COURT: You know. It's an interesting point that
17 you raise and it brings me to a question that I -- and I
18 anticipated you might come back to once we got through the
19 fourteen matters on the calendar to see what can be eliminated,
20 deferred or marked off without prejudice -- and that is this;
21 it seems to me that having had -- the party's positions have
22 evolved to some extent and the issues that you are now
23 disputing have changed to some extent -- and the issues that
24 you are not disputing have grown as you just indicated -- and
25 it seems to me that it may be appropriate against that

1 background to do what I sometimes -- not uniformly -- but
2 sometimes do following a trial and evidentiary hearing, which
3 is to ask the parties to make post-trial -- post-hearing --
4 submissions with citation to the record on the issues that you
5 now -- not a joint submission, I'll do it if you think you'd be
6 productive, but I think it will be passed the point that a join
7 submission will be useful -- but precisely as you say, Mr.
8 Stremba, it seems to me that the ground has shifted a bit from
9 what you are initially arguing to what you are arguing
10 presently, each of you, and so I'll just --

11 MR. STREMB: Well Your Honor, I think --

12 THE COURT: -- you should know what that's for the
13 reasons you indicate --

14 MR. STREMB: -- the issues as it --

15 THE COURT: -- that's something that I may be asking
16 you to do and I know the parties are eager to have this
17 resolved and I would be prepared to accept those submissions on
18 as expedited a basis as you are able to get them to me. I
19 don't know if you have copies of all the transcripts yet, but,
20 you know, things like that will help of course.

21 MR. STREMB: Absolutely, we have not read the
22 transcripts. I just don't know that it's necessary or
23 productive. I think the two issues --

24 THE COURT: Well Mr. Stremba, that's really for me to
25 decide whether --

1 MR. STREMB: Yes, absolutely, Your Honor.

2 THE COURT: -- it's necessary is whether I order it;
3 whether it's productive, is really a question for the Court.

4 MR. STREMB: I'm sorry; yes. Absolutely. I was just
5 suggesting --

6 THE COURT: You know, if you don't want to spend the
7 time on it, you can always decline to file -- well, actually I
8 don't know that you can decline to file that which I direct you
9 to file --

10 MR. STREMB: No, Your Honor.

11 THE COURT: -- but --

12 MR. STREMB: No, I was just suggesting that the one
13 issue that has shifted is this issue of who Troutman Sanders
14 represented; that's an issue that was open and I'm willing to
15 assume for the purposes of ending and closing the record.
16 Other than that I don't think there has been any other changes,
17 issues, that we would need to set forth in a submission.

18 THE COURT: But Mr. Stremba, I think exactly as you
19 say, what has shifted is the question that the parties are
20 asking the Court to decide; which is whether the
21 representation, which seems to me to be whether the
22 representation -- I'll say the first representation -- is
23 substantially related to the proposed second representation.
24 And I see how you have each to some extent argued that
25 previously, but it was not a focus of your prior submissions

1 and I haven't looked back at the briefs in the last couple of
2 days, but I can't tell you for certain that the question of
3 substantially relatedness -- of substantial relatedness -- is
4 something that -- and the appropriate legal standard -- is
5 something that's significant subject of your legal briefing.
6 It seems to me the issues have been refined significantly since
7 this matter was initially scheduled for a September 27th
8 hearing.

9 So let's come back to moving through the docket, then
10 we'll revisit the question of how to proceed -- and I guess I'm
11 still not clear on whether the parties are done or not. If
12 someone is looking to introduce additional evidence that they
13 are seeking in discovery, then we are not done.

14 MR. STREMB: Your Honor --

15 (Speaking in unison)

16 THE COURT: And that seems to be the situation with
17 respect to the 2008 e-mails. It also may be that this is
18 simply too complicated to do over the telephone and I'll need
19 to bring you in. But I'm trying to be as efficient as I can
20 and I had an impression from the letters that we were actually
21 at closure on these issues; if we are not then we're not.

22 MR. STREMB: Your Honor, it's Lee Stremba.

23 I just don't see what issue is left and why that
24 discovery is necessary if we're willing to stipulate to the
25 fact. And I think all we're doing is -- this is really no more

1 than another request for a delay.

2 If Your Honor would like us to make written
3 submissions as to what the remaining issues are --

4 THE COURT: No, it will -- Mr. Stremba, let's hear
5 from Mr. Krinsky.

6 Mr. Krinsky, you're looking for some -- given Mr.
7 Stremba's statement --

8 (Speaking in unison)

9 THE COURT: -- that he is prepared to stipulate --

10 MR. KRINSKY: Your Honor, with all due respect to Mr.
11 Stremba, we don't accept that stipulation. The order show
12 cause docket number 252, request the 2008 e-mails; this has now
13 become even more of a moving target when someone denies -- and
14 it's a contested issue -- when someone denies that they ever --
15 law firm -- denies that they ever represented an individual,
16 and that keeps shifting one way or the other, based upon the
17 evidence that's now before the Court we believe that the 2008
18 e-mails are directly relevant to this issue in determining --

19 THE COURT: Can you tell me where on this morning's
20 calendar that is? It seems to me that's number 3,
21 reconsideration of the application for an order to show cause;
22 no? Well tell me are where we are on the calendar? The
23 parties have filed things in a number of ways. I'm looking for
24 your guidance as to what it is that you are referring to.

25 MR. STREMB: This matter is not on the calend --

1 MR. KRINSKY: It is not, correct.

2 THE COURT: What number on the docket?

3 MR. KRINSKY: It's the order to show cause, is 252.

4 THE COURT: Did I issue an order to show cause? I
5 don't think so.

6 MR. KRINSKY: I'm sorry, 285; I apologize, Your Honor.

7 THE COURT: 285? Just one second. Well, if it's not
8 on the calendar, then the short answer is it's not before me
9 today.

10 My friends, I don't think we're making a lot of
11 headway this way. I would like to move through the things that
12 are on the calendar; do what we can and then do what must be
13 done thereafter. But on the docket that has hundreds of
14 entries, we need to be methodical or this case will become even
15 more unwieldy than it has already, to my regret, become.

16 So I'm going to defer consideration of anything not on
17 the calendar; let's take number 2 on the calendar, the
18 adjourned motion for violation of the automatic stay and to
19 void certain decisions of the State Supreme Court; who is the
20 proponent of that application?

21 No response? I'll say that the motion is filed by Mr.
22 Zilberberg --

23 (Speaking in unison)

24 THE COURT: -- it appears to be filed by Mr.
25 Zilberberg.

1 MR. KRINSKY: Creditor Klein is the proponent, Your
2 Honor.

3 Joel Lewittes, are you there?

4 THE COURT: Right. Creditor Klein is well represented
5 on this phone call.

6 MR. LEWITTES: Which one are we talking about?

7 THE COURT: Number 2 in the morning's calendar.

8 MR. LEWITTES: Yeah, I think it was Mrs. Persaud's
9 counsel brought a motion seeking relief from the automatic stay
10 to proceed in State Court and continue if a claim to be an
11 action relating to the confirmation of the arbitration award.

12 That was proposed and the proponent is counsel for
13 Mrs. Persaud. And we --

14 (Speaking in unison)

15 THE COURT: Well that seems different than what we see
16 in the record.

17 You think the proponent of this relief is counsel for
18 Persaud?

19 MR. LEWITTES: We just received a motion --

20 MR. LANDAU: No, counsel --

21 MR. LEWITTES: -- for relief from the stay -- for a
22 modification of the stay --

23 MR. LANDAU: -- counsel for the debtor --

24 MR. LEWITTES: -- just about --

25 THE COURT: We need only one person to speak at a

1 time; I need to ask you to be quiet. Thank you and I apologize
2 for using that phrase, on the telephone please.

3 MR. LEWITTES: Of the --

4 THE COURT: Well, here's how I'd like to proceed.

5 (Speaking in unison)

6 THE COURT: With respect to the adjourned hearing on
7 the application from Troutman Sanders, I'm satisfied that we
8 are not in a position to close that record because there were
9 open issues identified, though perhaps not briefed between the
10 parties. I need you to identify -- if there are any further
11 issues with respect to the opposition -- is there any further
12 record you are seeking to make? I take it there is. Is that
13 correct?

14 MR. KRINSKY: That is correct, Your Honor.

15 THE COURT: All right. Mr. Krinsky, what is that?

16 MR. KRINSKY: That is the subject of the order to show
17 cause, requesting the 2008 e-mails --

18 THE COURT: I need to be clear about something; only
19 the Court can issue an order to show cause. There is no order
20 to show cause in that regard; you may have made a request for
21 one, but that's different. The practice point --

22 MR. KRINSKY: The application that is now --

23 THE COURT: -- but it's important.

24 MR. KRINSKY: -- pending before the Court.

25 THE COURT: Mr. Krinsky, where is that on the Court's

1 calendar?

2 MR. KRINSKY: I don't believe that it was issued --

3 THE COURT: Where is it on the docket?

4 Here's what I'm going to do: I'm going to direct the
5 parties to review the docket and all open matters, and be
6 prepared to address any of them and all of them at our next
7 hearing; all right? It will be a much better use of your time
8 if we proceed that way.

9 I'm secondly going to -- I anticipate that at our next
10 hearing, whenever it is -- I will set a schedule to receive
11 post-hearing briefs with reference to the record in the
12 application to employ Troutman Sanders. I intend to do all of
13 this absolutely as promptly as possible because I have the
14 greatest desire to move this matter forward; I'm sure you do as
15 well. But I am finding that this telephonic conference this
16 morning, scheduled in anticipation of being able to close the
17 record and the retention, is not going to succeed in that way
18 because we are unable to close that record due to the open
19 issues. It may be that we can resume as soon as this
20 afternoon, but I will need you to be absolutely prepared to
21 answer each and all of these questions. You need to know what
22 requests for relief you are the proponent of.

23 With respect to the 2004 applications, partial relief
24 has been granted; those need to be carried because there's
25 additional relief sought. I don't intend to issue further

1 relief on those today; I think the process that is underway in
2 connection with production of documents -- which was my effort
3 to proceed in measured steps -- needs to continue.

4 And that --

5 MR. LEWITTES: Your Honor, this is Joel Lewittes --

6 THE COURT: -- it appears to take care of a
7 considerable amount of what's on the docket; the applications
8 for order to show cause.

9 With respect to the application for reconsideration of
10 the orders to show cause, it seems to me that those can be
11 marked off the calendar because --

12 MR. LEWITTES: Yes; Joel Lewittes; Your Honor, the
13 status of that is simply this: Your Honor denied Klein's
14 motion for reconsideration; we thereafter went to the district
15 court seeking a stay pending appeal. That application for a
16 stay pending appeal was denied by the district court. Mr.
17 Zilberberg thereafter contacted the accountant for the trustee
18 and some documents -- I think just before Thanksgiving -- were
19 transmitted to the trustee and the trustee was informed that
20 since Mr. Zilberberg will be out of the country until December
21 the 7th, following that date of his return, they intend to
22 produce many more documents. So --

23 (Speaking in unison)

24 THE COURT: That sounds like a very sensible way to
25 proceed.

1 MR. LEWITTES: -- right now.

2 THE COURT: I'm grateful to know that and that sounds
3 like a very sensible way to proceed. And very much in line
4 with what I have in mind, I have to say.

5 (Speaking in unison)

6 MS. SINISI: -- trustee --

7 THE COURT: So I shall mark off the calendar -- and it
8 seems appropriate to mark off the calendar the reconsideration
9 requests. It seems to me that you now having taken that step
10 in the district court especially, separate from what the Court
11 did, those are no longer matters that need to be on the
12 calendar. I think we do need to continue to carry of course,
13 the request for 2004 relief and we'll continue to go in the
14 appropriate and likely small steps.

15 With respect to the retention --

16 MS. SINISI: Your Honor, Ann Marie Sinisi for --

17 THE COURT: Ms. Sinisi, please let me finish getting
18 through the calendar; then you're each going to have an
19 opportunity to put on the record anything that's helpful in
20 moving this forward.

21 As to the Troutman Sanders retention, we've covered
22 that, we'll come back to that; as to the stay violation motion,
23 the same. Reconsideration number 3 on the docket will be
24 marked off, that will be so ordered. The 2004 applications
25 will be adjourned, and that brings us up to the pre-trial

1 conference in the two adversaries and those will be adjourned.

2 All right; now I'd like to hear from any counsel with
3 respect to the status of these matters. I encourage you to
4 have in mind that I'm not taking argument on any contested
5 matters telephonically, so it's simply a question of status.

6 Ms. Sinisi, let's start with you.

7 MS. SINISI: Good morning, Your Honor; Ann Marie
8 Sinisi from Pereira & Sinisi for the trustee.

9 For the record Your Honor, with regard to Mr.
10 Lewittes' statements regarding the 2004, the trustee is eagerly
11 awaiting the production of the documents that we were supposed
12 to be receiving and he has not consented to any delay until
13 December 7th due to Mr. Zilberberg's schedule. These documents
14 have been requested; the production request has been standing
15 for some time and the -- oh, to the 18th, I'm sorry -- the
16 delay -- oh yeah, they were due on the 18th, so --

17 THE COURT: Production to commence on the 18th, Ms.
18 Sinisi, just to be clear; isn't that what the order says?

19 MS. SINISI: Yes.

20 THE COURT: All right, not to be completed but to be
21 commenced. I'm not looking for any delay or dilatory tactics
22 in connection with complying with that order, but it -- the
23 words were chosen with care.

24 MS. SINISI: Yes.

25 THE COURT: Anything further? I take it that you

1 don't disagree that the applications to reconsider should be
2 marked off and the 2004 requests should be carried? And
3 unfortunately, I see no choice but to carry the application to
4 employ but I'm inclined to do that for a very short period;
5 perhaps only to a second call this afternoon so that I can have
6 the benefit of the parties' positions with respect to whether
7 in fact that record is closed; as I indicated it seems to me
8 "closed, except" is not the same as closed.

9 All right. Ms. Sinisi, anything further?

10 MS. SINISI: No Your Honor; just request that the
11 order as you stated -- as you referred to -- be complied with.

12 THE COURT: All right. I assume orders will be
13 complied with, and I have that expectation with respect to
14 every party in every case. And I --

15 MR. LEWITTES: Your Honor, Joel Lewittes --

16 THE COURT: -- am thankfully rarely disappointed.

17 (Speaking in unison)

18 THE COURT: All right; Mr. Landau, anything to add?

19 MR. LANDAU: No, other than with respect to the issue
20 of the claim that the proceeding in the State Court, vis-à-vis
21 the appellate process was in violation of bankruptcy law,
22 obviously we oppose that.

23 THE COURT: I'm not hearing that right now; I'm not
24 taking any contested argument. That is the matter that is
25 number 2 in the calendar --

1 MR. LANDAU: Other than that, I have no --

2 THE COURT: Right.

3 MR. LANDAU: -- no further word.

4 THE COURT: All right, thank you. Let's see, working
5 down my list; on behalf of the creditor Klein, Mr. Krinsky, can
6 you speak for yourself and Mr. Lewittes? You've been taking
7 the lead I think.

8 MR. KRINSKY: Mr. Lewittes is prepared to speak to all
9 issues other than the issue of retention of Troutman Sanders,
10 which I am prepared to speak on.

11 THE COURT: All right. With respect to the
12 retention --

13 (Speaking in unison)

14 THE COURT: -- with respect to the retention, Mr.
15 Krinsky, I will need to know -- and I think we will have a
16 second call this afternoon -- since you do not rest with
17 respect to your opposition to the retention I will need to know
18 in the plainest terms, with the greatest amount of consent
19 between the parties as to any issues, what remains to be done
20 and we'll have that at -- we'll reconvene telephonically for
21 that at -- what? 2, 2:30?

22 THE CLERK: 2:30.

23 THE COURT: At 2:30 this afternoon so you can be
24 prepared to address that.

25 As to all other issues, Mr. Lewittes?

1 MR. LEWITTES: Yes, Your Honor; I was just beginning
2 to say that Ms Sinisi I think gave the Court -- or perhaps gave
3 me the impression -- that we were somehow not conforming to
4 this Court's order.

5 THE COURT: I did not take that impression from her
6 statements so you don't need to concern yourself with that.

7 MR. LEWITTES: Okay. That's about all I have to say
8 at this moment.

9 THE COURT: Okay; all right.

10 Mr. Stremba and Mr. Campo, that brings me to you. I
11 see Mr. Stremba you're speaking on behalf of the firm?

12 MR. STREMB: Yes, Your Honor.

13 THE COURT: All right. Anything further to add?

14 MR. STREMB: No, Your Honor.

15 THE COURT: All right; I'd like to -- you're having a
16 second call until 2:30; we'll reconvene this telephonic
17 conference at 2:30. You can dial in via the CourtCall service
18 and what my question for the parties will be, what further, if
19 anything, are you seeking that you have not been able to
20 resolve via agreement or stipulation with respect to completing
21 that record. And I'm going to say in the strongest possible
22 terms, that I hope we are able to bring this record to closure;
23 today or very soon. And I suspect the parties share the
24 Court's interest in doing that.

25 MR. LANDAU: Your Honor, are we just simply addressing

1 this afternoon, the issue of retention?

2 THE COURT: I need -- the matter -- well all of these
3 matters will be carried; you should be prepared to address any
4 of them, okay?

5 Thank you.

6 MR. LANDAU: Well, I won't be able to appear this
7 afternoon, Your Honor.

8 THE COURT: I have to ask you to do your best. I'll
9 try to keep it prompt and short, all right?

10 Thank you very much.

11 MR. LANDAU: I won't be --

12 IN UNISON: Thank you, Your Honor.

13 THE CLERK: All rise.

14 (Recess from 10:31 a.m. until 3:04 p.m.)

15 THE CLERK: Second call in all Persaud matters.
16 Parties in the courtroom and on the telephone please state your
17 appearances.

18 THE COURT: All right, let's begin with the
19 appearances in the courtroom.

20 MR. PREZIOSI: Good afternoon, Your Honor; Stephen
21 Preziosi, of counsel to Mr. Samuel Landau, for the debtor, Ms.
22 Christine Persaud.

23 THE COURT: All right. So you are counsel for Ms.
24 Persaud, the Chapter 7 debtor.

25 On the telephone, please?

1 MR. STREMB: Lee Stremba and John Campo, Troutman
2 Sanders for the trustee and Troutman Sanders.

3 THE COURT: Thank you.

4 And for Mr. Klein?

5 MR. LEWITTES: Joel Lewittes, of counsel to Mr.
6 Zilberberg, representing Klein, the creditor.

7 THE COURT: All right, and also for Mr. Klein, do we
8 have Mr. Krinsky?

9 MR. KRINSKY: You do; as well as Sarah Moskowitz on
10 the phone as well, for Mr. Zilberberg's office.

11 THE COURT: Okay; thank you all. And thank you for
12 being available for this continued hearing. It was extremely
13 helpful for me to be able to go back and review the record and
14 refresh my recollection that as to number 252 -- two hundred
15 fifty-two -- on the docket, that motion was marked "submitted"
16 at the end of October with a schedule for some additional
17 briefing which has now been completed and I anticipate the
18 prompt entry of an order.

19 Which brings me to a review of the matters that remain
20 open. They are the 2004 requests as to which partial relief
21 has been granted; we will come up with a continued hearing date
22 for those.

23 The two adversary proceedings where we have pre-trial
24 conferences, 11-1456 and 10-1228, we will have an adjourned
25 date for those pre-trial conferences as well.

1 And then of course the motion for violation of the
2 automatic stay; and other relief; and finally the contested
3 counsel retention application which is on consent, granted in
4 part.

5 Having thought a lot about the parties' positions as
6 stated this morning and having had the benefit of the last
7 couple of hours to review and reflect on the state of the
8 overall record here, I'm satisfied that we are not yet in a
9 position to close the record despite my misinterpretation of
10 the statements in the parties' correspondence to the effect
11 that we would be able today, to bring this hearing to an
12 immediate conclusion, and so I think we are down, really, to
13 scheduling, and the question is when the parties are available
14 to appear in person. I will accommodate to the best of my
15 ability but I cannot be completely constrained by so many
16 parties' schedule or we'll be doing this in months as opposed
17 to in a few days or weeks.

18 And so what I would like to do is first, clarify that
19 I was simply in error this morning when I indicated that there
20 was -- that that number 252 in the docket was something I was
21 expecting other than the briefs that were filed recently from
22 the parties on, and I will be getting you an order on that with
23 great promptness. And then I think it's a question of when the
24 parties are available to close that record in the next week or
25 two. My notes are that Mr. Zilberberg is out of the

1 jurisdiction, perhaps out of the country, through December
2 7th -- is that right?

3 MR. LEWITTES: Yes, I believe it is; it's Joel
4 Lewittes.

5 THE COURT: Thank you, Mr. Lewittes.

6 So we are looking for a date promptly thereafter, and
7 I think a possibility will be by -- my goal will be to do this
8 some time on the 14th through 16th of December. And I will
9 hear from the parties as to any scheduling conflicts during
10 those days.

11 MR. LEWITTES: This is Mr. Lewittes --

12 THE COURT: And I'll say there's one other possibility
13 I see in my schedule -- let me step back; I am also looking at
14 the possibility of scheduling this late in the week of the
15 7th -- the week of the 5th -- with matters already on my
16 calendar this -- the only time available appears to be late
17 enough in the day on Friday -- even early afternoon -- that I
18 don't think it would be a practical matter from a standpoint of
19 completing early enough on Friday afternoon. So let's look at
20 the possibility of -- well, let me hear from the parties as to
21 their schedule. It will be my goal not to require you to move
22 anything but it may be that all parties and even the Court are
23 making some adjustments to get everything in and close this
24 record out. One possibility may well be something like nine in
25 the morning on Friday the 16th.

1 MR. STREMB: Your Honor, Troutman Sanders is okay on
2 14th, 15th or 16th.

3 THE COURT: Thank you, Mr. Stremba.

4 With respect to Mr. Klein?

5 MR. LEWITTES: This is Joel Letwittes.

6 THE COURT: And I'll note for the record that I'm
7 already accommodating Mr. Klein's counsel in not scheduling
8 this between now and December 7th or 8th.

9 MR. LEWITTES: Right. I just want to say that some of
10 those on the table accompanying Mr. Zilberberg have a problem
11 on Fridays. So if you could make it the 14th or 15th --

12 THE COURT: Well, Friday morning -- is Friday morning
13 a problem?

14 MR. LEWITTES: Not in the morning.

15 MR. KRINSKY: I believe not, Your Honor.

16 THE COURT: Friday morning at 9 o'clock is one
17 possibility.

18 MR. LEWITTES: Okay; that's okay.

19 MR. KRINSKY: Your Honor, it's Pery Krinsky. I'm now
20 scheduled to be on trial which I moved to deal with these
21 issues, so that this took priority, on the 7th, the 8th, the
22 14th and the 15th.

23 (Speaking in unison)

24 THE COURT: All right, so that points to the 16th as
25 well.

1 MR. KRINSKY: I'm sorry?

2 THE COURT: That points equally well to the 16th.

3 THE COURT: All right. I think that's our best day.

4 You can anticipate that that's likely when we'll be continuing
5 these matters. We'll have a continued pre-trial conference in
6 each of the two adversary proceedings.

7 I want you to come prepared to address all issues in
8 those matters including whether the matters remain live;
9 whether you need discovery in those cases, you should know that
10 in a general way I look at a fairly short discovery schedule;
11 sixty days is where I start and I shorten or lengthen it based
12 on the needs of the situation. We have a couple of motions,
13 including a motion that has been described, but perhaps not
14 filed, seeking stay relief in the State Court. And that may be
15 an appropriate date and time to be heard as well, but I'm going
16 to defer all matters of scheduling to my courtroom deputy who
17 is far more skilled than I in navigating those kinds of things.

18 Right; so as for today, based on the entire record I'm
19 satisfied it is not possible yet to close the record. With
20 respect to the application to employ Troutman Sanders, because
21 of the open questions remaining with respect to evidence, we'll
22 have a continued hearing on that subject to further order of
23 the Court on December 16th at 9 o'clock.

24 With respect to the second matter in today's calendar
25 that will similarly -- the adjourn motion for violation of the

1 automatic stay -- if we need anything further on that I may
2 issue a scheduling order, but otherwise we'll be having a
3 continued hearing on December 16th at 9 o'clock and the matter
4 may well be resolved then so you should come absolutely, fully
5 prepared.

6 With respect to the reconsideration application, as
7 indicated previously, that'll be marked off and so ordered; and
8 that is for Mr. Gottehrer. And I take it that counsel -- who
9 has represented Mr. Gottehrer in the past and who is on this
10 call -- is as to the matters concerning Mr. Gottehrer also
11 representing him; is that right? That would be from Mr.
12 Zilberberg's office?

13 MR. LEWITTES: Yes I believe so; this is Joel
14 Lewittes.

15 THE COURT: Thank you, Mr. Leweittes. And we will
16 note his appearance -- or appearance on behalf of him. Same as
17 to Mr. Joel Klein; is that right, Mr. Lewittes? You're
18 appearing on his behalf as well?

19 MR. LEWITTES: Yes it is, Your Honor.

20 THE COURT: And thereto, the reconsideration
21 application is marked off the calendar; that will be so
22 ordered. The 2004 examination application will be adjourned.

23 With respect to Caring Home Care Agency, to the extent
24 that they have appeared in this matter pursuant to -- or
25 represented by -- the same counsel representing Mr. Klein, I

1 will also note the appearance of Caring; the reconsideration
2 will be marked off the calendar; that will be so ordered. The
3 2004 application will be adjourned; the adjourned date will be
4 December 16th at 9 o'clock, subject to further order of the
5 Court.

6 With respect to Mr. Klein -- Abraham Klein -- the
7 reconsideration application is marked off the calendar; that
8 will be so ordered. His appearance is noted. The same with
9 respect to the 2004 examination request; that has previously
10 been granted in part. As for today it will be adjourned to
11 that same sate, December 16th at 9 o'clock.

12 With respect to Mr. Escobar, the reconsideration
13 application will be marked off the calendar; that'll be so
14 ordered, his appearance is noted by the same counsel that have
15 appeared for him in the past from -- by/or on behalf of Mr.
16 Zilberberg's office. And the application for the 2004
17 examination will be adjourned to the same date, December 16th
18 at 9 o'clock.

19 As previously noted the pre-trial conferences, I've
20 noted the appearance of the plaintiff and the defendant and
21 those will be adjourned till December 16th at 9 o'clock.

22 I exhort counsel to take the CM/ECF training that's
23 available here because we need you very much to be able to file
24 electronically; have you signed up for that? A course coming
25 up this week? Excellent.

1 MR. PREZIOSI: This Friday morning, Your Honor.

2 THE COURT: December 16th at 9 o'clock for those two
3 pre-trials.

4 And I think that's it. Anything further, you'll see a
5 scheduling order necessary from the Court. I -- based again,
6 on a chance to step back and look at the entire record, my
7 present view actually is that the briefing on the various
8 issues and the Court's access to the record may well be
9 sufficient; in all events, we have a continued hearing date in
10 December 16th; you'll be here in person on the retention issue.
11 I'm not looking for -- and do not request -- any further briefs
12 between now and then. And I'm going to do my best to work with
13 the record we have already; it's extensive in many ways; some
14 of the ways in which it is extensive no longer relate directly
15 to matters that are contested between the parties but that
16 doesn't mean that the contested matters may not already be the
17 subject of adequate briefing and I'm going to do my best not to
18 impose any further burdens on the parties other than the very
19 many that you have shouldered so far; all right?

20 So I'll see you on December 16th at 9 o'clock and I'll
21 be getting out an order today or first thing tomorrow with
22 respect to that motion that was marked "submitted" on October
23 28th or so; and I wish you a good afternoon.

24 Thank you again.

25 (Whereupon these proceedings were concluded at 3:18 PM)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

RULINGS

	Page	Line
Application to Employ Troutman Sanders,	34	22
Continued to Dec. 16		
Adjourned Motion for Violation of Automatic	35	3
Stay, Continued to Dec. 16		
Adjourned Hearing on the Reconsideration of	35	7
the Order to Show Cause Application re:		
Philip Gottehrer, Marked Off		
Adjourned Hearing on the Reconsideration of	35	21
the Order to Show Cause Application re:		
Joel Klein, Marked Off		
2004 Examination Application re: Joel Klein,	35	22
Adjourned to Dec. 16		
Adjourned Hearing on the Reconsideration of	36	1
the Order to Show Cause Application re:		
Caring Home Agency, Marked Off		
2004 Examination Application re: Caring	36	3
Home Agency, Adjourned to Dec. 16		
Adjourned Hearing on the Reconsideration of	36	7
the Order to Show Cause Application re:		
Abraham Klein, Marked Off		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

RULINGS (continued)

2004 Examination Application re:	36	10
Abraham Klein, Adjourned to Dec. 16		
Adjourned Hearing on the Reconsideration of	36	13
the Order to Show Cause Application re		
Melquisedec Escobar, Marked Off		
2004 Examination Application re:	36	16
Melquisedec Escobar, Adjourned to Dec. 16		
Pre-trial Conferences, Both Adjourned to Dec.	36	21
16th		

C E R T I F I C A T I O N

I, Devora Kessin, certify that the foregoing transcript is a
true and accurate record of the proceedings.

DEVORA KESSIN

AAERT Certified Electronic Transcriber (CET**D-636)

Veritext

200 Old Country Road

Suite 580

Mineola, NY 11501

Date: December 5, 2011

[& - adjourned]

Page 1

&	187 2:2	296 3:7	9/22/11 2:19 3:15
& 6:3,11,19 8:18 25:8	18th 25:15,16,17	2:30 27:21,22,23 28:16,17	3:25 4:9
0	195 4:3,7	3	9/27/11 2:4,8 4:13
08 12:13	196 2:13,17	3 18:20 24:23 38:8 38:21	9/8/11 2:18 3:4,14 3:24 4:8
1	197 2:22 3:3	3/10/11 4:12	9:57 1:21
1 4:11,16 7:10 38:18	198 3:8,13	34 38:6	a
1/5/11 4:12	199 3:19,23	35 38:8,10,13,16	a.m. 9:19 29:14
10 39:3	2 19:17 20:7 26:25 27:21	36 38:18,21,23 39:3 39:5,8,10	aaert 40:11
10-01228 1:9	2/2/11 4:12	3:04 29:14	ability 31:15
10-1228 30:24	200 40:14	3:18 37:25	able 13:3,7 15:18 22:16 28:19,22 29:6 30:13 31:11 36:23
10-44815 1:6	2004 2:13,17,23 3:3 3:8,13,19,23 4:3,7 22:23 24:13,24 25:10 26:2 30:20 35:22 36:3,9,16 38:16,21 39:3,8	4	abraham 3:20,24 6:4,12 36:6 38:25 39:4
10/19/10 4:12	2008 11:16,20 13:21 14:6,14 17:17 18:12 18:17 21:17	4/7/11 4:13	absence 13:14
10/28/11 2:4,8,19 3:5,15,25 4:9,13,17	201 3:12	405 5:13 6:21	absolutely 15:21 16:1,4 22:13,20 35:4
10018 5:23	2011 1:20 9:18 12:13 40:18	5	accept 15:17 18:11
10036 6:14	202 3:22	5 40:18	access 37:8
10107 5:6	203 3:2	5/20/11 4:13	accommodate 31:14
10174 5:14 6:23	204 4:6	570 5:22	accommodating 33:7
10279 6:6	21 38:13 39:10	57th 5:5	accompanying 33:10
10:31 29:14	214 2:16	580 40:15	accountant 23:17
11-01456 1:13	22 38:6,16	5th 32:15	accurate 40:5
11-1456 30:24	228 2:2	6	action 20:11
11/14/11 2:4,9,14,19 2:23 3:5,10,15,20 3:25 4:4,9,14,17	233 6:5	6/17/11 4:13	add 26:18 28:13
11/4/10 4:12	23rd 9:11,18	636 40:11	additional 8:25 17:12 22:25 30:16
11/8/11 2:4,8,19 3:5 3:15,25 4:9,13,17	250 5:5	7	address 22:6 27:24 29:3 34:7
11501 40:16	252 18:12 19:3 30:14 31:20	7 6:20 29:24 38:10 38:23	addressing 28:25
12/14/10 4:12	271 1:17	7th 6:22 23:21 25:13 32:2,15 33:8 33:21	adequate 37:17
1211 6:13	272 2:12	8	adjourn 34:25
13 39:5	27th 17:7	8/16/11 4:13	adjourned 2:2,3,6,8 2:11,14,16,18,21,23 3:2,4,7,9,12,14,17 3:20,22,24 4:2,4,6,8 4:11,11,16,16 13:11 19:18 21:6 24:25 25:1 30:24 35:22 36:3,3,10,17,21
14 7:10	28 1:20	8th 12:7 33:8,21	
14th 32:8 33:2,11 33:22	285 19:6,7	9	
15th 33:2,11,22	28th 9:19 37:23	9 9:19 33:16 34:23 35:3 36:4,11,18,21 37:2,20	
16 38:7,9,17,22 39:4 39:8,9	292 2:21	9/13/11 2:18 3:4,14 3:24 4:8	
16th 32:8,25 33:2 33:24 34:2,23 35:3 36:4,11,17,21 37:2 37:10,20 39:11	293 4:2	9/20/11 2:18 3:4,14 3:24 4:8	
179 2:6 13:12	294 3:17		
182 2:2	295 2:11		

[adjourned - clerk]

Page 2

38:8,10,13,17,18,22 38:23 39:4,5,9,10 adjustments 32:23 admission 10:8 admitted 10:14 adv 1:8,12 adversaries 25:1 adversary 30:23 34:6 adverse 14:10 affidavit 9:14 10:5 11:11 12:6 afternoon 22:20 26:5 27:16,23 29:1 29:7,20 32:17,19 37:23 agency 3:9,14 35:23 38:20,22 agreement 28:20 al 1:10 alternatively 12:2 americas 6:13 amount 9:9 23:7 27:18 ann 6:25 8:18 24:16 25:7 answer 19:8 22:21 anticipate 22:9 30:17 34:4 anticipated 14:18 anticipation 22:16 apologize 12:11,19 19:6 21:1 appeal 23:15,16 appear 29:6 31:14 appearance 9:7 35:16,16 36:1,8,14 36:20 appearances 7:13 29:17,19 appeared 9:1 35:24 36:15 appearing 35:18 appears 19:24 23:6 32:16 appellate 26:21	application 2:3,12 2:16,22 3:2,12,17 3:22 4:6 9:25 13:1 18:21 19:20 21:7,22 22:12 23:9,15 26:3 31:3 34:20 35:6,21 35:22 36:3,7,13,16 38:6,11,14,16,19,21 38:24 39:3,6,8 applications 22:23 23:7 24:24 26:1 appreciate 9:7 appropriate 14:25 17:4 24:8,14 34:15 arbitration 20:11 argued 16:24 arguing 15:9,9 argument 10:12 13:5 25:4 26:24 arose 13:9 asking 15:15 16:20 associates 6:3,11 assume 14:2 16:15 26:12 attend 9:10 attorney 5:4 8:25 9:3 attorneys 5:12 automatic 2:6 13:12 19:18 20:9 31:2 35:1 38:8 available 30:12 31:13,24 32:16 36:23 avenue 5:13,22 6:13 6:21 avoidance 8:11 awaiting 25:11 award 20:11	bankruptcy 1:2,16 1:25 26:21 based 18:16 34:11 34:18 37:5 basis 12:5 15:18 beginning 28:1 behalf 5:21 6:4,12 7:24 8:1 9:1 10:18 11:8 27:5 28:11 35:16,18 36:15 belabor 14:12 believe 11:15 14:1 18:17 22:2 32:3 33:15 35:13 bench 10:7 benefit 26:6 31:6 best 10:19 29:8 31:14 34:3 37:12,17 better 12:18 22:7 bit 12:15 15:8 briefed 21:9 briefing 17:5 30:17 37:7,17 briefs 17:1 22:11 31:21 37:11 bring 13:3,7 17:19 28:22 31:11 bringing 11:23 brings 10:25 14:17 24:25 28:10 30:19 broadway 6:5 brooklyn 1:18 brothers 13:22 brought 10:17 20:9 bruce 9:14 burdens 37:18	call 7:9 20:5 26:5 27:16 28:16 29:15 35:10 calling 9:21 campo 5:17 7:18,18 28:10 30:1 capacity 8:11 care 3:9 23:6 25:23 35:23 caring 3:9,14 35:23 36:1 38:20,21 carried 12:25 22:24 26:2 29:3 carry 24:12 26:3 case 1:5,8,12 2:22 7:9 10:5,21 19:14 26:14 cases 34:9 cause 2:12,16 3:2,8 3:12,17,18,22 4:3,6 11:18 12:13,21 18:12,21 19:3,4 21:17,19,20 23:8,10 38:11,14,19,24 39:6 certain 2:7 17:2 19:19 certified 40:11 certify 40:4 cet 40:11 chance 37:6 changed 14:23 changes 16:16 chapter 6:20 29:24 check 13:22 checking 11:19 choice 26:3 chosen 25:23 christine 1:6,10 7:11 8:23 29:22 citation 15:4 claim 20:10 26:20 clarify 31:18 clarity 12:3 clear 8:3,11 13:2 17:11 21:18 25:18 clerk 7:2,10 27:22 29:13,15
	b 1:23 back 10:20,25 11:20 13:17 14:18 17:1,9 24:22 30:13 32:13 37:6 background 15:1	c c 5:2 7:1 40:2,2 cadman 1:17 calend 18:25 calendar 12:9,23 13:15 14:19 18:20 18:22 19:8,12,17,17 20:7 22:1 23:11 24:7,8,12,18 26:25 32:16 34:24 35:21 36:2,7,13	

client 8:7 close 10:2 21:8 22:16,18 31:9,24 32:23 34:19 closed 26:7,8,8 closing 14:2 16:15 closure 11:24 13:3 17:21 28:22 cm 36:22 come 14:18 17:9 24:22 30:21 34:7 35:4 coming 10:20 36:24 commence 25:17 commenced 25:21 communication 11:17 communications 11:17,19 13:21 company 13:25 complain 4:11,16 completed 25:20 30:17 completely 31:15 completing 9:24 28:20 32:19 complicated 17:18 complication 9:20 complied 26:11,13 complying 25:22 concern 28:6 concerned 12:24 concerning 35:10 concluded 37:25 conclusion 10:17 13:7 31:12 conference 4:11,16 9:17 22:15 25:1 28:17 34:5 conferences 30:24 30:25 36:19 39:10 confidential 14:8 confirmation 20:11 conflicts 11:19 13:22 32:9 conforming 28:3	connection 13:9 23:2 25:22 consent 9:13 10:1 10:14 27:18 31:3 consented 25:12 considerable 23:7 consideration 19:16 constrained 31:15 contacted 13:23 23:17 contested 10:11 13:4 18:14 25:4 26:24 31:2 37:15,16 continue 20:10 23:3 24:12,13 continued 30:12,21 34:5,22 35:3 37:9 38:7,9 39:2 continuing 34:4 copies 15:19 correct 19:1 21:13 21:14 correspondence 9:9 31:10 counsel 5:21 6:3,11 7:21 8:8,10,13,14 9:20 20:9,12,17,20 20:23 25:2 29:21,23 30:5 31:3 33:7 35:8 35:25 36:14,22 country 23:20 32:1 40:14 couple 17:1 31:7 34:12 course 9:10 15:20 24:12 31:1 36:24 court 1:2,16 2:7 7:3 7:5,16,19,23 8:3,7 8:10,16,20,21,24 9:6,16,16 10:24 11:4,5,7,13,23 12:8 12:14,18,22,24 13:19 14:16 15:12 15:15,24 16:2,3,6 16:11,18,20 17:16 18:4,9,17,19 19:2,4 19:7,19,24 20:4,7	20:10,15,25 21:4,6 21:15,18,19,23,24 21:25 22:3 23:6,15 23:16,24 24:2,7,10 24:10,17 25:17,20 25:25 26:12,16,18 26:20,23 27:2,4,11 27:14,23 28:2,5,9 28:13,15 29:2,8,18 29:23 30:3,7,11 32:5,12,22 33:3,6 33:12,16,24 34:2,3 34:14,23 35:15,20 36:5 37:2,5 court's 9:12 12:23 21:25 28:4,24 37:8 courtcall 28:17 courtroom 7:6,12 29:16,19 34:16 covered 24:21 creditor 6:4,12 7:22 8:4,9 20:1,4 27:5 30:6 cross 9:14 10:15 11:13 current 14:7 d d 6:8 7:1 38:2 40:11 date 23:21 30:21,25 32:6 34:15 36:3,17 37:9 40:18 dated 12:7 day 32:17 34:3 days 17:2 31:17 32:10 34:11 deal 33:20 debtor 1:6 5:4,21 8:22 9:2 20:23 29:21,24 dec 38:7,9,17,22 39:4,9,10 december 23:20 25:13 32:1,8 33:8 34:23 35:3 36:4,11 36:17,21 37:2,10,20 40:18	decide 15:25 16:20 decision 11:24 decisions 2:7 19:19 decline 16:7,8 defendant 1:14 36:20 defendants 1:10 defer 19:16 34:16 deferred 14:20 definitively 11:25 delay 18:1 25:12,16 25:21 denied 23:13,16 denies 18:13,14,15 deputy 34:16 described 34:13 desire 22:14 despite 31:9 determine 10:20 determining 18:18 devora 4:25 40:4,10 dial 28:17 different 20:15 21:21 difficult 12:15 dilatory 25:21 direct 10:14 16:8 22:4 directly 18:18 37:14 disagree 26:1 disappointed 26:16 disclosed 14:8 discovery 17:13,24 34:9,10 disputing 14:23,24 district 1:3 23:14 23:16 24:10 docket 12:12,20 13:12 17:9 18:12 19:2,13 22:3,5 23:7 24:23 30:15 31:20 document 2:2,12,17 2:22 3:3,8,13,19,23 4:3,7 documents 23:2,18 23:22 25:11,13
---	--	--	--

[doing - hundreds]

Page 4

doing 17:25 28:24 31:16 doubt 8:11 due 18:10 22:18 25:13,16	everybody's 9:7 evidence 10:14 17:12 18:17 34:21 evidentiary 10:16 13:8 15:2 evolved 14:22 exactly 16:18 examination 2:13 2:17,23 3:3,9,13,19 3:23 4:4,7 9:15 10:15 35:22 36:9,17 38:16,21 39:3,8 examinations 11:13 excellent 36:25 exhort 36:22 expectation 26:13 expecting 31:21 expedited 15:18 expert 10:11 extensive 37:13,14 extent 14:22,23 16:24 35:23 extremely 30:12	foregoing 40:4 foregone 10:15 foremost 9:23 forth 16:17 forward 22:14 24:20 fourteen 12:25 14:19 friday 32:17,19,25 33:12,12,16 37:1 fridays 33:11 friends 19:10 fully 35:4 further 9:15,16 11:13 21:10,11 22:25 25:25 26:9 27:3 28:13,18 34:22 35:1 36:4 37:4,11 37:18	green 9:13,14 10:6 10:11 ground 15:8 grounds 10:7 grown 14:24 grv 11:20 13:25 14:1,3,15 guess 17:10 guidance 18:24
e		g	h
e 1:23,23 5:2,2 7:1,1 11:16 12:13 17:17 18:12,18 21:17 38:2 40:2 eager 15:16 eagerly 25:10 earlier 12:6 early 32:17,19 easier 11:5 east 1:17 eastern 1:3 ecf 36:22 effect 31:10 efficient 17:19 effort 23:2 either 14:3,11 electronic 40:11 electronically 36:24 eliminated 14:19 elizabeth 1:24 employ 2:3 9:25 13:1 22:12 26:4 34:20 38:6 encourage 25:3 engagement 14:6,6 14:7 entire 34:18 37:6 entries 19:14 entry 30:18 equally 34:2 error 31:19 escobar 4:4,8 36:12 39:7,9 especially 13:9 24:10 esq 5:8,16,17,25 6:8 6:16,25 ess 1:6,9,13 et 1:10 events 37:9	f f 1:23 40:2 fact 12:2 13:24 17:25 26:7 fairly 34:10 far 34:17 37:19 fifty 30:15 file 16:7,8,9 36:23 filed 9:11,17 11:18 12:21 18:23 19:21 19:24 31:21 34:14 finally 31:2 finding 9:13 22:15 finish 24:17 firm 7:25 8:2,4,9,12 8:13,14 9:25 11:20 18:15 28:11 first 9:23 10:4 13:22 16:22 31:18 37:21 floor 6:22 focus 16:25 following 15:2 23:21	g 7:1 gather 9:19 general 34:10 generic 2:13 getting 9:19 24:17 31:22 37:21 given 18:6 glad 9:21 go 13:9,17 24:13 30:13 goal 32:7,21 goes 13:23 going 12:14 13:2,4 13:5,14 19:16 22:4 22:4,9,17 24:18 28:21 34:15 37:12 37:17 good 7:3,4 9:8 25:7 29:20 37:23 gottehrer 2:14,18 35:8,9,10 38:12 granted 10:1 22:24 30:21 31:3 36:10 grateful 24:2 great 31:23 greatest 22:14 27:18	handset 12:15 headway 19:11 hear 10:3 13:5 18:4 25:2 32:9,20 heard 34:15 hearing 2:2,11,13 2:16,21 3:2,7,12,17 3:18,22 4:2,6 9:4 10:16 13:8 14:2,14 15:2,3 17:8 21:6 22:7,10,11 26:23 30:12,21 31:11 34:22 35:3 37:9 38:10,13,18,23 39:5 help 15:20 helpful 24:19 30:13 hold 9:16 holiday 9:8 home 3:9,14 35:23 38:20,22 hon 1:24 honor 8:6,15 10:22 11:2,16 12:4,6,10 12:11,17,20 13:16 15:11 16:1,10 17:14 17:22 18:2,10 19:6 20:2 21:14 23:5,12 23:13 24:16 25:7,9 26:10,15 28:1,12,14 28:25 29:7,12,20 33:1,15,19 35:19 37:1 hope 28:22 hours 31:7 hundred 30:14 hundreds 19:13

[identified - motion]

Page 5

i	j		mark
identified 21:9	j 5:3,8	26:18,19 27:1,3	13:15 24:7,8
identify 21:10	jackson 7:9	28:25 29:6,11,21	marked 14:20
immediate 10:17	joel 2:23 3:4 6:10	late 9:19 32:14,16	23:11 24:24 26:2
13:7 31:12	6:16 7:21 20:3 23:5	law 5:3,20 6:10	30:15 35:7,21 36:2
important 21:23	23:12 26:15 30:5	18:15 26:21	36:7,13 37:22 38:12
impose 37:18	32:3 33:5 35:13,17	lead 27:7	38:15,20,25 39:7
impression 17:20	38:15,16	lee 5:16 7:14 10:22	materially 14:9
28:3,5	john 1:14 5:12,17	11:2 13:16 17:22	matter 1:5 10:9
inclined 26:4	7:18 30:1	30:1	11:24 12:4 14:9
included 7:7	join 15:6	left 17:23	17:7 18:25 22:14
including 10:5 34:8	joint 15:5	legal 17:4,5	26:24 29:2 32:18
34:13	judge 1:25	lengthen 34:11	34:24 35:3,24
inconsistent 10:13	jurisdiction 32:1	letters 9:17 13:6	matters 7:10 9:10
indicate 10:11		17:20	9:18 12:24,25 14:19
15:13	k	letwittes 33:5	22:5 24:11 25:3,5
indicated 11:12	keep 29:9	leweittes 35:15	29:3,15 30:19 32:15
14:24 26:7 31:19	keeps 18:16	lewittes 6:10,16	34:5,8,8,16 35:10
35:7	kessin 4:25 40:4,10	7:20,21,21 20:3,6,8	37:15,16
individual 18:15	kinds 34:17	20:19,21,24 21:3	mean 37:16
information 14:8	klein 1:8,12 2:23	23:5,5,12,12 24:1	meant 11:10
informed 23:19	3:4,20,24 6:4,12	25:10 26:15,15 27:6	measured 23:3
initial 10:9 12:12	7:22 8:4,9,10 11:19	27:8,25 28:1,7 30:5	melquisedec 4:4,8
initially 11:20 15:9	13:22,24 14:3,9,10	30:5 32:3,4,5,11,11	39:7,9
17:7	14:15 20:1,4 27:5	33:5,9,14,18 35:13	mendel 6:3,11
intend 22:12,25	30:4,6,7 33:4 35:17	35:14,17,19	met 10:9
23:21	35:25 36:6,6 38:15	lexington 5:13 6:21	methodical 19:14
interest 28:24	38:16,25 39:4	line 24:3 38:5	microphones 7:8
interesting 14:16	klein's 23:13 33:7	list 27:5	mind 24:4 25:4
introduce 17:12	know 10:18 11:25	live 10:6 34:8	mineola 40:16
issue 11:16,16,21,25	12:11,20 14:16	llp 5:11 6:19	misinterpretation
12:5 13:17,20,23	15:12,16,19,20,22	longer 24:11 37:14	31:9
14:12 16:13,13,14	16:6,8 22:21 24:2	look 32:19 34:10	modification 20:22
17:23 18:14,18 19:4	27:15,17 34:9	37:6	moment 12:10
21:19 22:25 26:19	krinsky 6:2,8 7:19	looked 17:1	13:17 28:8
27:9 29:1 35:2	7:24,24 8:6,8,15	looking 17:12 18:6	monday 9:18
37:10	10:4 11:9,15 12:4	18:23 25:21 32:6,13	month 14:6
issued 2:7 22:2	12:10,17,19 13:17	37:11	months 31:16
issues 9:17 13:9	18:5,6,10 19:1,3,6	lot 19:10 31:5	morning 7:3,4 9:8
14:22,23 15:4,14,23	20:1 21:14,15,16,22	m	22:16 25:7 31:6,19
16:17 17:6,21 18:3	21:24,25 22:2 27:5	mail 11:16	32:25 33:12,12,14
21:9,11 22:19 27:9	27:8,15 30:8,9	mails 12:13 17:17	33:16 37:1
27:19,25 33:21 34:7	33:15,19,19 34:1	18:12,18 21:17	morning's 18:19
37:8	l	making 19:10 32:23	20:7
	landau 5:3,8,21 7:4	manage 11:7	moskowitz 7:25
	8:17,17,21,22,22,24	marie 6:25 8:18	30:9
	9:3,5 20:20,23	24:16 25:7	motion 2:6,13,17,22
			3:3,8,13,19,23 4:3,7

[motion - proponent]

Page 6

12:9 13:11,13 19:18 19:21 20:9,19 23:14 24:22 30:15 31:1 34:13,25 37:22 38:8 motions 34:12 move 10:2 19:11 22:14 32:21 moved 33:20 moving 17:9 18:13 24:20	objection 9:12 10:7 10:16 objector 10:19 obviously 26:22 october 30:16 37:22 offered 10:21 office 5:3,20 6:10 30:10 35:12 36:16 oh 25:15,16 okay 9:6 28:7,9 29:4 30:11 33:1,18 33:18 old 40:14 once 14:18 open 11:15 12:4 16:14 21:9 22:5,18 30:20 34:21 opportunity 24:19 oppose 26:22 opposed 31:16 opposition 10:5 21:11 27:17 order 2:11,12,16,21 3:2,7,12,17,18,22 4:2,6 9:12,15 11:13 11:18 12:12,21 16:2 18:11,21 19:3,4 21:16,19,19 23:8 25:18,22 26:11 28:4 30:18 31:22 34:22 35:2 36:4 37:5,21 38:11,14,19,24 39:6 ordered 24:24 35:7 35:22 36:2,8,14 orders 23:10 26:12 original 12:21 outstanding 11:21 overall 31:8 overruled 10:6 overruling 9:12	partial 22:23 30:20 participating 9:3 parties 7:6,6,12 10:2 15:3,16 16:19 17:11 18:23 21:10 22:5 26:6 27:19 28:18,23 29:16 31:5 31:10,13,16,22,24 32:9,20,22 37:15,18 party 26:14 party's 14:21 passed 15:6 pending 21:24 23:15,16 people 11:5 pereira 1:14 5:12 6:19 8:18 25:8 period 26:4 persaud 1:6,10 7:11 8:23 9:2 20:13,18 29:15,22,24 persaud's 20:8 person 20:25 31:14 37:10 personally 13:25 pery 6:8 7:24 33:19 philip 2:14,18 38:12 phone 12:14 13:5 20:5 30:10 phrase 21:2 plainest 27:18 plaintiff 1:8,12 36:20 plaza 1:17 please 7:5,9,12 13:19 21:2 24:17 29:16,25 pleased 13:3 pllc 6:2 pm 37:25 point 11:11 14:16 15:6 21:21 points 14:11 33:24 34:2 position 21:8 31:9 positions 14:21 26:6 31:5	possibility 32:7,12 32:14,20,24 33:17 possible 22:13 28:21 34:19 post 15:3,3 22:11 practical 32:18 practice 21:21 pre 4:11,16 24:25 30:23,25 34:5 36:19 37:3 39:10 precisely 15:7 prejudice 14:20 prepared 14:2 15:17 18:9 22:6,20 27:8,10,24 29:3 34:7 35:5 present 8:1 37:7 presently 15:10 previously 11:17 16:25 35:7 36:9,19 preziosi 5:20,25 29:20,21 37:1 prior 16:25 priority 33:21 problem 33:10,13 proceed 9:22 13:19 17:10 20:10 21:4 22:8 23:3,25 24:3 proceeding 26:20 proceedings 30:23 34:6 37:25 40:5 process 23:1 26:21 produce 23:22 production 13:21 23:2 25:11,14,17 productive 15:6,23 16:3 professor 9:13,14 10:6,10 progress 12:23 prompt 29:9 30:18 promptly 22:13 32:6 promptness 31:23 proponent 10:20 13:12,14 19:20 20:1 20:12,17 22:22
n			
n 5:2,20,25 7:1 38:2 40:2 navigating 34:17 necessary 15:22 16:2 17:24 37:5 need 10:18 11:25 12:3 16:17 17:18 19:14 20:25 21:1,10 21:18 22:20,21,24 24:11,12 27:15,17 28:6 29:2 34:9 35:1 36:23 needs 12:1 23:3 34:12 new 1:3,18 5:6,14 5:23 6:6,14,23 nine 32:24 note 33:6 35:16 36:1 noted 36:8,14,19,20 notes 31:25 november 1:20 9:11 9:18,18 12:7 number 12:12,21 13:12 18:12,20,23 19:2,17 20:7 24:23 26:25 30:14 31:20 numbers 7:10 ny 5:6,14,23 6:6,14 6:23 40:16			
o	p		
o 1:23 7:1 40:2 o'clock 33:16 34:23 35:3 36:4,11,18,21 37:2,20	p 5:2,2,17 7:1 p.m. 29:14 page 38:5 part 10:1 12:5 31:4 36:10		

[proposed - september]

Page 7

proposed 14:7 16:23 20:12 purposes 11:23 14:2,14 16:15 pursuant 35:24 pursued 12:1,1 pursuing 12:5 put 11:9,10 24:19 putting 10:4	record 8:11 9:24 10:3,10 11:12 13:3 14:10 15:4 16:15 20:16 21:8,12 22:11 22:17,18 24:19 25:9 26:7 28:21,22 30:13 31:8,9,24 32:24 33:6 34:18,19 37:6 37:8,13 40:5	request 18:1,12 21:20 24:13 25:14 26:10 36:9 37:11 requested 11:17 25:14 requesting 21:17 requests 22:22 24:9 26:2 30:20 require 32:21 resolve 28:20 resolved 12:1 15:17 35:4 respect 9:20 10:16 11:18 13:1,21 17:17 18:10 21:6,11 22:23 23:9 24:15 25:3 26:6,13,19 27:11,14 27:17 28:20 33:4 34:20,21,24 35:6,23 36:6,9,12 37:22 response 13:14 19:21 rest 10:23 11:8,14 11:22 12:2 27:16 resume 22:19 retained 8:13 11:20 retention 22:17 24:15,21 27:9,12,14 27:17 29:1 31:3 37:10 return 23:21 review 22:5 30:13 30:19 31:7 revisit 17:10 right 7:19 8:5,15,16 8:20,24 9:7 10:24 12:8,22 20:4 21:15 22:7 24:1 25:2,20 26:9,12,18,23 27:2 27:4,11 28:9,13,15 29:9,18,23 30:7 32:2 33:9,24 34:3 34:18 35:11,17 37:19 rise 7:2 29:13 road 40:14	rules 10:14 rulings 38:4 39:2
q	reference 12:12 22:11 referred 26:11 referring 18:24 refined 17:6 reflect 31:7 refresh 30:14 regard 21:20 25:9 regarding 7:11 25:10 regret 19:15 relate 37:14 related 2:2,12,17,22 3:3,8,13,19,23 4:3,7 16:23 relatedness 17:3,3 relating 20:11 relationship 14:5 relevant 18:18 relief 20:9,17,21 22:22,23,25 23:1 24:13 30:20 31:2 34:14 remain 30:19 34:8 remaining 18:3 34:21 remains 27:19 represent 8:9,13,14 13:24 14:1 representation 16:21,22,22,23 represented 8:13 9:2,21 14:3,5,13,15 16:14 18:15 20:4 35:9,25 representing 7:22 8:3,4,22 9:1 30:6 35:11,25	s	s 1:24 2:2,12,17,22 3:3,8,13,19,23 4:3,7 5:2 7:1 samuel 5:3,8,21 8:17,22 29:21 sanders 2:3 5:11 7:14 9:25 13:2,23 13:24 14:1,3,12,14 16:13 21:7 22:12 24:21 27:9 30:2,2 33:1 34:20 38:6 sarah 7:25 30:9 sate 36:11 satisfied 21:7 31:8 34:19 saw 13:6 saying 12:16 says 25:18 schedule 2:13 22:10 25:13 30:16 31:16 32:13,21 34:10 scheduled 17:7 22:16 33:20 scheduling 13:10 31:13 32:9,14 33:7 34:16 35:2 37:5 seated 7:5 second 16:23 19:7 26:5 27:16 28:16 29:15 34:24 secondly 22:9 see 10:6 12:23,25 13:10 14:11,19 16:24 17:23 20:15 26:3 27:4 28:11 32:13 37:4,20 seeking 12:13 17:13 20:9 21:12 23:15 28:19 34:14 seen 9:11 sensible 23:24 24:3 separate 24:10 september 17:7
r			
r 1:23 5:2 7:1 40:2 raise 14:17 raised 9:17 13:17 rarely 26:16 read 15:21 real 14:4 really 15:24 16:3 17:25 31:12 reason 14:12 reasons 15:13 rebuttal 10:20 receive 22:10 received 9:14 10:15 20:19 receiving 25:12 recess 29:14 recollection 30:14 reconsider 26:1 reconsideration 2:11,21 3:7,18 4:2 18:21 23:9,14 24:8 24:23 35:6,20 36:1 36:7,12 38:10,13,18 38:23 39:5 reconvene 27:20 28:16			

<p>serve 8:8</p> <p>service 28:17</p> <p>set 16:17 22:10</p> <p>seventh 5:22</p> <p>share 28:23</p> <p>shifted 15:8 16:13 16:19</p> <p>shifting 18:16</p> <p>short 19:8 26:4 29:9 34:10</p> <p>shorten 34:11</p> <p>shouldered 37:19</p> <p>show 2:12,16,22 3:2 3:8,12,17,18,22 4:3 4:6 11:18 12:13,21 18:11,21 19:3,4 21:16,19,20 23:8,10 38:11,14,19,24 39:6</p> <p>signed 36:24</p> <p>significant 9:9 17:5</p> <p>significantly 17:6</p> <p>similarly 34:25</p> <p>simplifying 12:24</p> <p>simply 17:18 23:13 25:5 28:25 31:19</p> <p>sinisi 6:19,25 8:18 8:18,19,20 10:25 24:6,16,16,17 25:6 25:7,8,8,18,19,24 26:9,10 28:2</p> <p>situation 17:16 34:12</p> <p>sixty 34:11</p> <p>skilled 34:17</p> <p>small 24:14</p> <p>soon 22:19 28:23</p> <p>sorry 8:21 11:2,4 16:4 19:6 25:15 34:1</p> <p>sought 22:25</p> <p>sounds 23:24 24:2</p> <p>speak 20:25 27:6,8 27:10</p> <p>speaker 12:14</p> <p>speaking 8:1 17:15 18:8 19:23 20:14 21:5 23:23 24:5</p>	<p>26:17 27:13 28:11 33:23</p> <p>spend 16:6</p> <p>standard 17:4</p> <p>standards 10:8</p> <p>standing 25:14</p> <p>standpoint 32:18</p> <p>start 9:19 25:6 34:11</p> <p>state 2:7 7:13 19:19 20:10 26:20 29:16 31:7 34:14</p> <p>stated 10:9 26:11 31:6</p> <p>statement 18:7</p> <p>statements 25:10 28:6 31:10</p> <p>states 1:2,16</p> <p>stating 9:16</p> <p>status 23:13 25:3,5</p> <p>stay 2:6 13:12 19:18 20:9,21,22 23:15,16 24:22 31:2 34:14 35:1 38:9</p> <p>step 24:9 32:13 37:6</p> <p>stephen 5:20,25 29:20</p> <p>steps 23:3 24:14</p> <p>stipulate 14:13 17:24 18:9</p> <p>stipulation 18:11 28:20</p> <p>stong 1:24</p> <p>street 5:5</p> <p>stremba 5:16 7:14 7:14,16,17 10:18,22 10:22 11:2,2,4,6,10 13:16,16,20 15:8,11 15:14,21,24 16:1,4 16:10,12,18 17:14 17:22,22 18:4,11,25 28:10,11,12,14 30:1 30:1 33:1,3</p> <p>stremba's 18:7</p> <p>strongest 28:21</p> <p>subject 9:15 11:13 17:5 21:16 34:22</p>	<p>36:4 37:17</p> <p>submission 11:11 15:5,7 16:17</p> <p>submissions 10:12 15:4,17 16:25 18:3</p> <p>submitted 30:15 37:22</p> <p>submitting 12:6</p> <p>substantial 14:5 17:3</p> <p>substantially 16:23 17:3</p> <p>succeed 22:17</p> <p>sufficient 37:9</p> <p>suggesting 16:5,12</p> <p>suggestion 10:2 13:6</p> <p>suite 40:15</p> <p>superfluous 10:13</p> <p>supposed 25:11</p> <p>supreme 2:7 19:19</p> <p>sure 7:7 11:7 22:14</p> <p>suspect 28:23</p> <p>t</p> <p>t 40:2,2</p> <p>table 33:10</p> <p>tactics 25:21</p> <p>take 10:1,9 11:10 13:4 19:17 21:12 23:6 25:25 28:5 35:8 36:22</p> <p>taken 24:9</p> <p>talking 20:6</p> <p>target 18:13</p> <p>telephone 7:7,12 8:1 17:18 21:2 29:16,25</p> <p>telephonic 9:16 13:8 22:15 28:16</p> <p>telephonically 5:16 5:17 6:8,16,25 25:5 27:20</p> <p>tell 12:8 17:2 18:19 18:22</p> <p>terms 27:18 28:22</p> <p>testify 10:11</p>	<p>testimony 9:12,13 10:5,8,15</p> <p>thank 7:16 8:16,20 8:24 11:4 12:18 21:1 27:4 29:5,10 29:12 30:3,11,11 32:5 33:3 35:15 37:24</p> <p>thankfully 26:16</p> <p>thanksgiving 23:18</p> <p>thereto 35:20</p> <p>thing 37:21</p> <p>things 15:20 18:23 19:11 34:17</p> <p>think 9:23 10:3,19 10:25 11:24 13:23 14:4,10 15:5,6,11 15:23 16:16,18 17:25 19:5,10 20:8 20:17 23:1,18 24:12 27:7,15 28:2 31:12 31:23 32:7,18 34:3 37:4</p> <p>thought 31:5</p> <p>till 36:21</p> <p>time 9:1,1 16:7 21:1 22:7 25:15 32:8,16 34:15</p> <p>times 10:10</p> <p>today 13:3 19:9 23:1 28:23 31:11 34:18 36:10 37:21</p> <p>today's 9:3 34:24</p> <p>tomorrow 37:21</p> <p>trail 4:11,16</p> <p>training 36:22</p> <p>transcribed 4:25</p> <p>transcriber 40:11</p> <p>transcript 40:4</p> <p>transcripts 15:19 15:22</p> <p>transmitted 23:19</p> <p>trial 10:8 15:2,3 24:25 30:23,25 33:20 34:5 36:19 39:10</p>
---	--	---	--

[trials - à]

Page 9

trials 37:3 troutman 2:3 5:11 7:14 9:25 13:1,23 13:24 14:1,3,12,14 16:13 21:7 22:12 24:21 27:9 30:1,2 33:1 34:20 38:6 true 40:5 trust 9:8,11 trustee 6:20 7:15 8:19 11:1,3,8 14:7,9 23:17,19,19 24:6 25:8,10 30:2 trustee's 9:24 try 29:9 trying 17:19 two 14:6,7 15:23 25:1 30:14,15,23 31:25 34:6 37:2	38:8 vis 26:20,20 void 2:7 19:19	à
	w w 5:16 waived 9:15 waiver 11:12 want 16:6 33:9 34:7 wasteful 10:13 way 13:8 18:16 19:11 22:8,17 23:24 24:3 34:10 ways 18:23 37:13 37:14 we've 24:21 week 9:10 12:6 31:24 32:14,15 36:25 weekend 9:9 weeks 31:17 went 23:14 west 5:5 willing 14:13 16:14 17:24 wish 37:23 word 27:3 words 25:23 work 12:22 37:12 working 27:4 written 18:2	
u u.s. 1:25 unable 22:18 understand 8:25 12:16 13:20 understanding 8:12 underway 23:1 unfortunately 12:20 26:3 uniformly 15:1 unison 17:15 18:8 19:23 20:14 21:5 23:23 24:5 26:17 27:13 29:12 33:23 united 1:2,16 unwieldy 19:15 use 7:7 12:15 14:9 22:7 useful 15:7	x x 1:4,7,11,15 38:2	à 26:20
	y yeah 20:8 25:16 york 1:3,18 5:6,14 5:23 6:6,14,23	
v v 1:9,13 various 10:12 37:7 veritext 40:13 view 13:9 37:7 violation 2:6,8 13:11 19:18 24:22 26:21 31:1 34:25	z zilberberg 6:3,11 7:22 11:18 19:22,25 23:17,20 30:6 31:25 33:10 zilberberg's 7:25 8:2,8,12 25:13 30:10 35:12 36:16	

United States Bankruptcy Court

Eastern District of New York
271 Cadman Plaza East, Suite 1595
Brooklyn, NY 11201-1800

IN RE:

CASE NO: 1-10-44815-ess

Christine Persaud

SSN/TAX ID:

CHAPTER: 7

xxx-xx-0247

DEBTOR(s)

NOTICE OF FILING OF TRANSCRIPT AND OF DEADLINES RELATED TO RESTRICTION AND REDACTION

Notice is hereby given that:

A transcript of the proceeding held on November 28, 2011 was filed on December 14, 2011 .

The following deadlines apply:

The parties have until December 21, 2011 to file with the court a Notice of Intent to Request Redaction of this transcript. The deadline for filing a Transcript Redaction Request is January 4, 2012.

If a Transcript Redaction Request is filed, the redacted transcript is due January 17, 2012.

If no such Notice is filed, the transcript may be made available for remote electronic access upon expiration of the restriction period, which is March 13, 2012 unless extended by court order.

To review the transcript for redaction purposes, you may purchase a copy from the transcriber Veritext (888-706-4576) or you may view the document at the public terminal at the Office of the Clerk.

Dated: December 14, 2011

For the Court, Robert A. Gavin, Jr., Clerk of Court

Notice Recipients

District/Off: 0207-1

User: btaylor

Date Created: 12/14/2011

Case: 1-10-44815-ess

Form ID: 295

Total: 8

Recipients submitted to the BNC (Bankruptcy Noticing Center):

db	Christine Persaud	86-25 Van Wyck Expressway, Apt. 506	Jamaica, NY 11435		
aty	Pereira & Sinisi, LLP	The Chrysler Building	405 Lexington Avenue	7th Floor	New York, NY 10174
aty	John P Campo	Troutman Sanders LLP	The Chrysler Building	405 Lexington Avenue	New York, NY 10174
aty	Lee W Stremba	Troutman Sanders LLP	The Chrysler Building	405 Lexington Avenue	New York, NY 10174
aty	Samuel J. Landau	250 West 57th Street	New York, NY 10107		
aty	Stephen N Preziosi	570 Seventh Avenue	6th Floor	New York, NY 10018	
	Pery D Krinsky, Esq.	Krinsky PLLC	233 Broadway	New York, NY 10279	
	Joel Lewittes, Esq	1211 Avenue of the Americas	New York, NY 10036		

TOTAL: 8